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10/603,323	06/25/2003	Esa Nettamo	KOLS.041PA	2858

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05/01/2007

EXAMINER	
TRAN, TUYETLIEN T	

ART UNIT	PAPER NUMBER
2179	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/603,323

Applicant(s)

NETTAMO, ESA

Examiner

TuyetLien (Lien) T. Tran

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9, 10, 12-20, 22, 23 and 25-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-10, 12-20, 22-23, 25-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the following communication: Amendment filed 1/30/07.

This action is made final.

2. Claims 1-7, 9-10, 12-20, 22-23, 25-32 are pending in the case. Claims 1 and 13 are independent claims. Claims 1, 5, 9-10, 13, 18-20, 22-23 are the amended claims.

Specification

3. Applicant's amendment corrects the previous objection and therefore the objection is dropped.

Claim Objections

4. Applicant's amendment corrects the previous objections and therefore the objections are withdrawn.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 9, 10, 22, 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 9, 10, 22, 23 recite the limitation "said signal"; there is insufficient antecedent basis for this limitation in the claims.

Note that this rejection is necessitated by the amendment.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2179

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-2, 4-5, 9-10, 12-14, 17-18, 22-23, 25-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ebisawa (Patent No. US 6,369,802 B1, hereinafter Ebisawa).

As to claims 1 and 13, Ebisawa teaches:

A method of identifying symbols in a portable electronic device and a portable electronic device (i.e., handwritten data input device, see Fig. 1) comprising: a screen (i.e., the tablet 2), a contact surface in the screen area covering at least part of the screen area (i.e., form detector and clip 6), and a contact area for symbol creation located in the contact surface area (i.e., a reference character frame (see col. 10, lines 55-57 and dotted-frame as shown in Fig. 15B), the method comprising:

detecting the start of a symbol creation function (i.e., the input device allows the input of handwritten data by detecting the position of the coordinate of a required item filled in a handwritten entry column of the form using a writing device based on the writing pressure transferred thereto through the form, see col. 6 lines 49-53);

enlarging the size of the contact area for symbol creation after the start of the symbol creation function (i.e., the reference frame is expanded to cover the written symbol as shown in Fig. 15B);

interpreting a symbol created in the enlarged contact area for symbol creation (i.e., the written symbol is interpreted as '4', see Fig. 15B).

Ebisawa further teaches giving signal at the start of the symbol create function and that interrupting this signal if the touch moves outside the enlarged contact area for symbol creation (e.g., when the operator moves the exclusive pen to a position at a distance in the vicinity of the

Art Unit: 2179

tablet, the table detects it; note that one of ordinary skilled in the art will learn that a signal is given in order for it to be detected and that when pen no longer touches the tablet, the signal is interrupted, see col. 5 lines 5-20). Ebisawa does not clearly teach that giving signaling for indicating that the touch for symbol creation remains on the enlarged contact area for symbol creation; and interrupting the signaling if the touch moves outside the enlarged contact area for symbol creation.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have implemented the steps or function of giving signaling for indicating that the touch for symbol creation remains on the enlarged contact area for symbol creation and interrupting the signaling if the touch moves outside the enlarged contact area for symbol creation because one of ordinary skill in the art would look at Fig. 15B where an expanded character frame is shown as a dotted frame to provide a graphically or visually indication to a user as to where and when the boundary of the frame to reduce input error.

As to claims 2 and 14, Ebisawa further teaches detecting the start of the symbol creation function based on a touch in the contact area for symbol creation (i.e., the input device allows the input of handwritten data by detecting the position of the coordinate of a required item filled in a handwritten entry column of the form using a writing device based on the writing pressure transferred thereto through the form, see col. 6 lines 49-53).

As to claims 4 and 17, Ebisawa further teaches enlarging the size of the contact area for symbol creation in the screen area by at least 25 percent (i.e., the expanded character frame in Fig. 15B is at least 25% larger than its original size in Fig. 15A).

As to claims 5 and 18, Ebisawa further teaches detecting the fulfillment of an end condition and interpreting the symbol created in the enlarged contact area for symbol creation

Art Unit: 2179

once the fulfillment of the end condition is detected (i.e., in order for the device to interpret or recognize a handwriting character(s), the device detects when the user finishes inputting symbol "4" as shown in Fig. 15A and 15B; further note that the operation as described in Fig. 14 is initiated each time data for one character is input by handwriting, see col. 10 lines 33-35).

As to claims 9 and 22, Ebisawa further teaches giving said signal for indicating the location of the enlarged contact area for symbol creation in the enlarged contact area for symbol creation (i.e., dotted-frame as shown in Fig. 15B).

As to claims 10 and 23, even though, Ebisawa does not clearly teach that said giving signaling is a light, voice or vibration signal, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have implemented the steps or function of giving signaling of a light, voice or vibration signal to indicate the boundary of the enlarged contact area for symbol creation because Ebisawa suggests to the skilled artisan that a buzzer or vibration signal can be given out when certain condition met; one of ordinary skill in the art would look at Fig. 15B where an expanded character frame is shown as a dotted frame to provide a graphically or visually indication to a user as to where and when the boundary of the frame to reduce input error.

As to claims 12 and 25, Ebisawa further teaches wherein said symbol is one or more letters, digits, images or a combination thereof including two or more symbols (see Fig. 13C-13D and text from col. 10 lines 63-67 to col. 11 lines 1-5).

As to claim 26, Ebisawa further teaches wherein the portable electronic device is a mobile station (see Fig. 1 and text from col. 3, lines 28-44).

As to claim 27, Ebisawa further teaches wherein the portable electronic device is a PDA (Personal Digital Assistant) device or a portable computer (see Fig. 1 and Fig. 2).

As to claim 28, Ebisawa teaches further comprising means for establishing a telecommunication connection (i.e., communication link and the like, see Fig. 2 and col. 3 lines 48-64).

As to claim 29, Ebisawa teaches the limitations of claim 28 for the same reasons as discussed with respect to claim 28 above. However, Ebisawa does not expressly disclose that the telecommunication connection is a connection to be implemented in a mobile network. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a connection to be implemented in a mobile network, in view of Ebisawa, because Ebisawa suggests to the skilled artisan that a communication link is utilized between the devices (see col. 3, lines 48-64) to provide the function of communicating with other devices in public mobile telecommunications services.

As to claim 30, Ebisawa teaches the limitations of claim 28 for the same reasons as discussed with respect to claim 28 above. However, Ebisawa does not expressly disclose that the telecommunication connection is an Internet connection. It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the internet connection, in view of Ebisawa, because Ebisawa suggests to the skilled artisan that a communication link is utilized between the devices (see col. 3, lines 48-64) to access to a worldwide network of computer to facilitate data transmission and exchange.

As to claims 31 and 32, Ebisawa teaches the limitations of claim 28 for the same reasons as discussed with respect to claim 28 above. However, Ebisawa does not expressly

Art Unit: 2179

disclose that the telecommunication connection is a short-range wireless connection including Bluetooth, infrared or WLAN connection. It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the a short-range wireless connection including Bluetooth, infrared or WLAN connection, in view of Ebisawa, because Ebisawa suggests to the skilled artisan that a communication link is utilized between the devices (see col. 3, lines 48-64) to replace the need for wires connecting electronic devices such as personal computers, printers, palm top computers and mobile phones.

9. Claims 3, 6-7, 15-16, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ebisawa in view of Okamoto et al (Patent No 5,502,461; hereinafter simply referred to as Okamoto).

As to claims 3 and 15, Ebisawa teaches the limitations of claims 1 and 13 for the same reasons as discussed with respect to claims 1 and 13 above. However, Ebisawa fails to expressly teach that detecting the start of the symbol creation function based on a start signal given with a signalling device.

Okamoto, though, teaches comprising detecting the start of the symbol creation function based on a start signal given (i.e., selecting key 261 as shown in Fig. 2) with a signalling device (i.e., pen 1C in Fig. 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the function of character type selecting area as taught by Okamoto to the handwritten data input device as taught by Ebisawa to determine which type of symbols are to be recognized for accurate interpretation (see Okamoto col. 6, lines 52-54).

As to claim 16, Ebisawa teaches the limitations of claim 13 for the same reasons as discussed with respect to claim 13 above. However, Ebisawa does not expressly teach the

Art Unit: 2179

means for enlarging the size of the contact area for symbol creation are configured to enlarge the size of the contact area based on control given by a touch screen or other user interface comprised by the device. Okamoto, though, teaches wherein the means for enlarging the size of the contact area for symbol creation (i.e., character writing frames 241-244, see Fig. 15) are configured to enlarge the size of the contact area based on control (i.e., menu 32 as shown in Fig. 14A) given by a touch screen (i.e., tablet 1A and 1B in Fig. 1) or other user interface (i.e., display area as shown in Fig. 2) comprised by the device (a hand written character input device, see col. 1, lines 9-13). Thus, combining Ebisawa and Okamoto would meet the claimed limitation for the same reasons as discussed with respect to claims 3 and 15 above.

As to claims 6 and 19, Ebisawa teaches the limitations of claims 5 and 18 for the same reasons as discussed with respect to claims 5 and 18 above. However, Ebisawa does not expressly teach that the symbol creation function end condition being fulfilled when an end command is detected. Okamoto, though, teaches wherein the symbol creation function end condition being fulfilled when an end command is detected (i.e., the user select the "ENT" command for designating transfer of the characters which have been written in character writing frames 241-244 to document area 20, see Fig. 4). Thus, combining Ebisawa and Okamoto would meet the claimed limitation for the same reasons as discussed with respect to claims 3 and 15 above.

As to claims 7 and 20, Ebisawa teaches the limitations of claims 5 and 18 for the same reasons as discussed with respect to claims 5 and 18 above. However, Ebisawa does not expressly teach that the symbol creation function end condition being fulfilled when no touch is detected in the contact area for symbol creation within a given time. Okamoto, though, teaches wherein the symbol creation function end condition being fulfilled when no touch is detected in

Art Unit: 2179

the contact area for symbol creation within a given time (see col. 7, lines 6-12). Thus, combining Ebisawa and Okamoto would meet the claimed limitation for the same reasons as discussed with respect to claims 3 and 15 above.

Response to Arguments

10. Applicant's arguments filed 1/30/07 have been fully considered but they are not persuasive. Note that in view of amendment, the rejection under 103 has been applied to the claims 1-2, 4-5, 9-10, 12-14, 17-18, 22-23, 25-28.

- Applicant argues that the prior art of Ebisawa does not teach or suggest each of the claimed limitations, for example, Ebisawa does not teach interpreting a symbol created in an enlarged contact area for symbol creation and that Ebisawa teaches that the reference frame of an already-entered character and character recognition is again carried out (e.g., see Remark page 8, Para 4).

Examiner disagrees. Ebisawa clearly teaches interpreting a symbol created in an enlarged contact area for symbol creation and clearly shows that the contact area getter bigger from the previous state (e.g., the operation as shown in Fig. 14 is initiated each time data for one character is input by handwriting; character recognition is carried out based on enlarged character frames as a result of such enlargement, a list of the results of recognition in the character recognition results memory is displayed, see Figs. 15A, 15B and col. 10 lines 33-54). In addition, Examiner would like to point out that the features upon which applicant relies (i.e., an already-entered or not) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, Ebisawa clearly teaches that the operation of enlarging the frame, character recognition is

Art Unit: 2179

carried out each time data for one character is input by handwriting (e.g., see col. 10 lines 33-54); this does not mean that the recognition and enlargement happens after a character is already entered.

- Applicant argues the character in the prior art of Ebisawa's enlarged reference frame is not necessarily interpreted for symbol creation (e.g., see Remark page 8, Para 4, lines 27-28).

Examiner respectfully disagrees. Ebisawa clearly teaches that a handwritten data input device in many places (e.g., title, abstract...), Ebisawa also teaches the CPU recognizes characters based on the writing data input from the tablet and converts the data into character codes to output to the display. Therefore, the examiner concludes that Ebisawa teaches symbol creation and that the character in the enlarged reference frame as shown in Fig. 15B is interpreted for symbol creation.

- Applicant argues that the prior art of Ebisawa does not teach giving a signal at the start of symbol creation and that there is no indication that symbol creation has started or that a signal is given in response to symbol creation starting and that Ebisawa does not teach that a signal is given to indicate that a touch for symbol creation remains on an enlarged contact area and that interrupting a signal if a touch moves outside an enlarged contact area (e.g., see Remark page 9, Para 4, lines 24-29 and page 10 lines 1-4).

Examiner disagrees. The examiner would like to point out that the features upon which applicant relies (i.e., giving a signal at the start of symbol creation and that there is no indication that symbol creation has started or that a signal is given in response to symbol creation starting) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, Ebisawa clearly

Art Unit: 2179

teaches that detecting the start of a symbol creation function (i.e., the input device allows the input of handwritten data by detecting the position of the coordinate of a required item filled in a handwritten entry column of the form using a writing device based on the writing pressure transferred thereto through the form, see col. 6 lines 49-53).

The examiner then admits that Ebisawa does not clearly teach giving signaling for indicating that the touch for symbol creation remains on the enlarged contact area for symbol creation; and interrupting the signaling if the touch moves outside the enlarged contact area for symbol creation; however, Ebisawa teaches giving signal at the start of the symbol create function and that interrupting this signal if the touch moves outside the enlarged contact area for symbol creation (e.g., when the operator moves the exclusive pen to a position at a distance in the vicinity of the tablet, the table detects it; note that one of ordinary skilled in the art will learn that a signal is given in order for it to be detected and that when pen no longer touches the tablet, the signal is interrupted, see col. 5 lines 5-20); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have implemented the steps or function of giving signaling for indicating that the touch for symbol creation remains on the enlarged contact area for symbol creation and interrupting the signaling if the touch moves outside the enlarged contact area for symbol creation because one of ordinary skill in the art would look at Fig. 15B where an expanded character frame is shown as a dotted frame to provide a graphically or visually indication to a user as to where and when the boundary of the frame to reduce input error.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

Conclusion

THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00 (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private

Art Unit: 2179

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T.T
4/27/2007

Lien Tran
Examiner
Art Unit 2179


BA HUYNH
PRIMARY EXAMINER